

COMMITTEE ON GOVERNMENT

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*	Strike-everything Amendment
[E]	Emergency Clause
[P 105]	Proposition 105 Clause
[P 108]	Proposition 108 Clause

Bill	Chapter	Short Title	Page
HB 2021	92 [E]	enduring freedom memorial; extension.....	53
HB 2151	235 [E]	*Iran; public fund divestment..... <i>(See Committee on Public Institutions and Retirement)</i>	89
HB 2159	277	*disciplinary records; open to inspection.....	53
HB 2163	243	reviser's technical corrections; 2008	53
HB 2282	236	*insurance transactions; false disclosures	49
		<i>(See Committee on Financial Institutions and Insurance)</i>	
HB 2410	135	open meetings; public opinions.....	53
HB 2453	278	children; open court proceedings	53
HB 2454	279	*public records; CPS information	53
HB 2455	280	*child protective services; records; duties	53
HB 2478	113	redaction orders; expiration; notice; funds.....	54
HB 2485	305	unlawful public sale of animals.....	54
HB 2524	137	agricultural improvement districts; amendments.....	54
HB 2594	182	CPS; court orders	54
HB 2599	165	*missing children; notification; procedure	54
HB 2677	272	REAL ID act; implementation; prohibited	67
		<i>(See Committee on Homeland Security and Property Rights)</i>	
HB 2745	152 [E]	employer sanctions..... <i>(See Committee on Homeland Security and Property Rights)</i>	67
SB 1215	56	charter schools; approved plans; renewal	42
		<i>(See Committee on K-12 Education)</i>	
SB 1456	75	public records; storage.....	54
SB 1502	132	professions; occupations; initial regulation	54

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HB 2021 – Chapter 92 [E] – enduring freedom memorial; extension.

Extends the time for completion of the Enduring Freedom Memorial and the Bill of Rights Commemorative Monument.

HB 2159 – Chapter 277 – *disciplinary records; open to inspection

Stipulates that a public body shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of the disciplinary actions (including employee responses) involving public officers or employees of that public body. Mandates that the records shall be open to inspection and copying pursuant to statute, except where protected from disclosure by law. Clarifies that disclosure of the personal identifying information of peace officers and eligible persons pursuant to A.R.S. § 39-123 & 124 is not required, and states that it is the duty of a public officer to make public records open to inspection pursuant to law.

HB 2163 – Chapter 243 – reviser’s technical corrections; 2008

Makes non-substantive technical changes to conflicting statutes.

HB 2410 – Chapter 135 – open meetings; public opinions

Specifies that if a member of a public body expresses an opinion or discusses an issue with the public personally, through public broadcast or at a venue other than an actual meeting of the public body, the member is not in violation of Arizona open meeting laws if the opinion is not directed at another public official and/or there is no plan to engage in collective deliberation to take legal action.

HB 2453 – Chapter 278 – children; open court proceedings

Mandates that court proceedings regarding dependent children, permanent guardianship and termination of parental rights be open to the public. Allows the court to close proceedings for good cause, requiring the consideration of several factors including privacy rights and any physical or emotional harm that may be caused by an open hearing.

HB 2454 – Chapter 279 – *public records; CPS information

Makes several changes to the statutes governing the release of Child Protective Services (CPS) information.

- Requires the prompt release of CPS information regarding a case of child abuse or neglect that resulted in a fatality or near fatality to the public or to any person who requests access to that CPS information.
- Allows a person who has been denied access to CPS information to bring special action in Superior Court to order release of the CPS information.
- Clarifies that the Department of Economic Security (DES) is not required to disclose CPS information if DES, a law enforcement agency or the County Attorney demonstrates that disclosure would cause a specific, material harm to a CPS or criminal investigation.

HB2455 – Chapter 280 – *child protective services; records; duties

Makes several changes to the child welfare statutes, including the release of records and the establishment of joint protocols. Contains mirror language to provisions in HB 2454 (see above).

- Changes the definition of *extremely serious conduct* to *criminal conduct*.
- Makes changes to the investigation protocols established pursuant to A.R.S. § 8-817.

- Requires CPS and the County Attorney of each county to independently prepare and transmit a public, annual report to the Governor and the Legislature within 45 days after the end of each fiscal year that contains the number of criminal conduct allegations investigated and how many were conducted jointly in accordance with the protocols.
- States that in instances of criminal conduct against a child, CPS shall protect the victim's rights of the children within their custody (as applicable) pursuant to the Arizona Constitution.

HB 2478 – Chapter 113 – redaction orders; expiration; notice; funds

Requires specific persons to be notified six months prior to the expiration of a court ordered redaction of their personal information. Expands use of the Anti-Racketeering Revolving Fund.

HB 2485 – Chapter 305 – unlawful public sale of animals

Establishes a civil penalty of not more than \$50 for the unlawful public sale of animals by knowingly selling an animal on any public highway, street, park or adjacent public property; or any commercial private property without the consent of the property owner or lessee. Restricts the unlawful public sale of animals to those counties with a population of 800,000 persons or more (Maricopa and Pima Counties) and provides certain exemptions. Defines *animal* and *pet store*.

HB 2524 – Chapter 137 – agricultural improvement districts; amendments

Modifies the election procedures that apply to an Agricultural Improvement District (District) by allowing a holder of a revocable family trust to: serve on the district council or the board of directors, serve as president or vice-president of the District and sign nominating petitions. Outlines the procedure for an alternative election process, including notice of the election, how to obtain a ballot, deadlines for returning the ballot and the make-up of the election board. Repeals the requirement to establish an imprest fund, used for the payment of accounts and expenses acquired in the ordinary course of business. Includes a conditional enactment clause stating that the Salt River Valley Water Users' Association must vote to amend their articles of incorporation to include the changes outlined in HB 2524 by December 31, 2008. Written notification of the results of the vote must be provided to the Arizona Legislative Council.

HB 2594 – Chapter 182 – CPS; court orders

Requires a CPS worker to make a good faith effort to promptly obtain and abide by court orders that restrict or deny custody or visitation by a parent (or other person) in the home with the child. Further requires that as part of their good faith effort, a CPS worker must ask the parent, guardian or custodian under investigation if a current court order exists.

HB 2599 – Chapter 165 – *missing children; notification; procedure

Requires CPS to notify and provide information to a law enforcement agency if it is reported that the child is at risk of serious harm and is missing; the information must be entered into state and national missing person databases. Allows a peace officer or a CPS worker to take a child into temporary custody if CPS reports that the child is missing and at risk of serious harm.

SB 1456 – Chapter 75 – public records; storage

Allows each state agency or any of the state's political subdivisions to implement a program for the production or reproduction of records on microfiche, digital imaging or other electronic media.

SB 1502 – Chapter 132 – professions; occupations; initial regulation

Creates and outlines the requirements of a sunrise process for the new regulation of any non-health profession or occupation.